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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 GIOVANNI VALERIO,

Case No. 2:10-cv-01806-GMN-EJY

6 Petitioner,

7 v.

ORDER


8 ANTHONY SCILLIA, WARDEN, et al.,

9 Respondents.

10 For good cause shown, IT IS HEREBY ORDERED:

- 11 1. The Joint Motion to Reopen and for Enlargement of Time for Briefing (ECF No. 89) is
12 GRANTED and the stay of this matter is LIFTED.
13 2. The Clerk of Court will REOPEN this habeas action.
14 3. The parties have until July 13, 2020, to file memorandum addressing their respective
15 positions as to whether an evidentiary hearing is still required for any issues going to the
16 timeliness of the federal petition following the Ninth Circuit's en banc decision in *Smith v.*
17 *Davis*, 953 F.3d 582 (9th Cir. 2020).

18 DATED: June 15, 2020

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21 GLORIA M. NAVARRO
22 UNITED STATES DISTRICT JUDGE
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